

PSJ3

Exhibit 152



AMERICAN PAIN FOUNDATION®

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October 3, 2002

By Email

To: Interested Colleagues at Novartis, Pfizer, Endo, Abbott, Medtronic, Purdue, Astra-Zeneca, Janssen, Ligand, Merck, Cephalon, GlaxoSmithKline, Ortho McNeil, Allergan, Alpharma/Faulding, Lilly, AlgoRx, ANS, Elan, Centocor, Alza, Bayer, Baxter, McNeil Consumer, and Ortho-Biotech

cc: Natl. Pain Survey Project Staff, NPS Scientific Advisory Committee, NIH Guests, and Drs. Campbell and Portenoy

From: John D. Giglio, M.A., J.D., Executive Director

Re: National Pain Survey – Request to Join Consortium of Industry Sponsors and Next Steps

INTRODUCTION

On behalf of Drs. Cleeland, Reyes, Campbell, Portenoy and Frey, I would like to thank all of the industry and NIH representatives who attended the August 18th briefing on the National Pain Survey project, which APF is conducting in collaboration with the Pain Research Group of the M.D. Anderson Cancer Center. We were delighted that representatives from 19 companies and two NIH institutes could make a meeting on the west coast in the middle of August. And based on the feedback we received during and after the briefing, there is a broad consensus that the data from this study is sorely needed (and long overdue) for researchers, industry, public policymakers, advocacy groups, and the media.

We have continued moving forward and are now at a point to invite all of the interested companies to formally join our Industry Consortium to support this research project. As I hope we demonstrated in San Diego, this project is worthy of every company's support because of the impact the data will have on research, clinical practice, public awareness, and advocacy.

But I also hope we showed that this study will be of equal value to your company's internal research, analysis and decision making efforts. (For those of you who could not attend the San Diego meeting, attached are the three key PowerPoint slide sets presented. Dr. Cleeland's slides lay out the overall project. Dr. Reyes' presentation goes into detail on the areas of inquiry for the questionnaire. And Dr. Frey's slides explain all of the steps in the survey process and the related timeline.)

Given the significant value of the results from this research study, APF will provide prompt access to the data to all companies who share in its costs. (The data will remain the property of, and in the custody of, APF.) On the other hand, companies that decide not to contribute will have to wait one year to access the data and will be charged an access fee that will significantly exceed the upfront contribution we hope everyone will make.

FINALIZING THE BUDGET AND ISSUING THE RFP AFTER YOUR INPUT

I recently put together a detailed draft budget based on all of the input we have gotten from you and our Scientific Advisory Committee. It came in at just under \$3.0 million, based on a sample size of 25,000 households. However, I believe I may be able to reduce somewhat after we take the following two steps:

First, our Scientific Advisory Committee will be meeting in Houston within the next 4-5 weeks to finalize the sample size. In our presentation in San Diego, we guesstimated the sample size at 20,000-25,000, but we now have more information to go on. The final sample size will certainly be no more than 25,000, and may come in lower.

Second, as I assume you know, the bulk of the projected cost will go to the outside firm we hire to conduct the survey. (A much smaller share of the costs will go to project management, professional and support staff time, the Scientific Advisory Committee, APF-led public awareness and advocacy educational activities, out-of-pocket costs, and overhead.) Therefore, during the upcoming Scientific Advisory Committee meeting, we will also draft an RFP.

We will then circulate it to the companies who have demonstrated their intention to join the sponsors' consortium for your review and comment. Shortly thereafter, we will finalize it and submit it to five or six of the top-tier firms (potentially Batelle, Abt Assoc., NORC, Westat, RTI, etc., but the recipients will be determined by the Scientific Advisory Committee.) By competitively bidding this unique and high-visibility project, we hope to get the best price commensurate with top quality.

VALUE OF A BROAD-BASED CONSORTIUM

Our goal in bringing so many companies together in San Diego was to interest all of you in joining the funders' consortium. While it is possible that several of your companies could fund this study on your own, that would defeat one of our major goals: to maximize the credibility and acceptance of the data by the research community, public policymakers, the media, and other key stakeholders. Determining what each company's share of the total project costs will be, however, will depend on how many agree to join the sponsors' consortium.

PROJECTED MINIMUM AND MAXIMUM SHARES OF THE COST

The costs of the project will fall into two calendar years. If we assume a total cost of \$2.9 million, then the likely maximum share per company would be \$145,000/year for two years (assuming 10 companies in the consortium). The likely minimum share per company would be \$85,000/year for two years (assuming 17 companies support the project.)

WHO WILL JUMP IN THE POOL WITH US?

Because the final cost to each funder depends on how many additional supporters we add, I need to get everyone to “jump in the pool” at the same time with us. But I realize that I have a chicken-and-egg problem (to mix my metaphors), because it is hard to provide you with a bottom line number until I can tell you how many companies have agreed to share the costs with you.

RECOMMENDATION: MATCHING THE INITIAL \$25,000 CONTRIBUTIONS FROM OUR FIVE LODESTAR DONORS AS WE MOVE INTO THE NEXT PHASE

I would like to recommend a proposal that puts everyone on an equal footing as we move forward, but doesn't ask you to commit to a final cost until we have as many donors as possible.

Thanks to the original contributions of \$25,000 each from our five Lodestar funders (Novartis, Endo, Abbott, Medtronic and Pfizer), we were able to launch this project, and we have the funds in hand to complete Phase One of our five-phase project. We then plan to move into Phase Two, which will involve conducting cognitive interviews, translating the survey instrument into Spanish, computer programming and testing the finalized instrument. With a matching contribution of \$25,000 from the remaining companies, everyone will be at an equal level.

By committing to making this matching \$25,000 “down payment,” you will help me tremendously in building as broad a consortium as possible. With the addition of each successive company, all of the supporters will benefit equally, because it will result in dividing the financial “pie” into smaller and smaller pieces. And the larger the number of funders “in the pool,” the stronger the case will be for the remaining companies to “jump in” with us. (I realize I won't be wining any creative writing awards anytime soon, but you get the idea.)

Several of the smaller companies expressed interest in joining the consortium but stated that they could do so only if some type of size differential would apply. My hope is that if the smaller companies will commit to this initial \$25,000 contribution, then after we have finished recruiting all of the funders, we can discuss this issue as a consortium and work to seek a consensus.

HOW TO PROCEED

Because of the balance remaining from the original contributions of our five Lodestar funders, I do not actually need checks cut right away. Rather, all I seek at this point is an email or a letter from your company by October 31st advising me that you can pledge to make this matching \$25,000 grant.

CONCLUSION

We left our San Diego meeting with a full head of steam, and our project *will* move forward. Please let me know if you need any additional information to make the decision to join this vitally needed research project. My direct line is 410-783-7292 x225. I will be away from the office on Friday, Oct. 4th, but am back on the following Monday. Thank you again for considering our request.